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Via ECFS

September 18, 2013

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

RE: *Structure and Practices of the Video Relay Service program*, CG Docket No. 10-51;  
*Telecommunications Relay Services and Speech-to-Speech Services for Individuals with  
Hearing and Speech Disabilities*, CG Docket No. 03-123

Dear Secretary Dortch:

Attached for submission to the Commission are the *Reply Comments of ASL Services Holdings, LLC* in response to other parties' comments to the Commission's June 10, 2013 *Report and Order and Further Notice of Proposed Rulemaking* in the above-referenced proceedings, FCC 13-82.

Sincerely,

MILLER ISAR, INC.

Andrew O. Isar

Regulatory Consultants to  
ASL Services Holdings, LLC

Attachment

cc: Karen Strauss (via electronic mail)  
Greg Hlibok (via electronic mail)

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Structure and Practices of the Video Relay Service Program	)	CG Docket No. 10-51
	)	
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CG Docket No. 03-123
	)	

**REPLY COMMENTS OF ASL SERVICES HOLDINGS, LLC**

ASL Services Holdings, LLC (“ASL/Global VRS”) and other parties have expressed enthusiastic support for several of the significant additional Telecommunications Relay Service Program (“Program”) reforms proposed by the Commission.<sup>1</sup> Many of these reforms bring the provision of relay services closer to achieving Program goals. Yet the competitive auction process, skill set preference prohibition, and unilateral adoption of a ten second speed of answer (“SOA”) requirement do not. These elements affect consumer choice, a crucial consumer issue, which ASL strongly advocates as an essential component to functional equivalency. Despite the Commission’s expressed support of consumer choice, its proposed approach actually undermines it, in an effort to preclude waste, fraud, and abuse. Commission proposals regarding these issues carry severe adverse consequences and costs that undermine progress in Program goal achievement and should be rejected, as ASL/Global VRS and other commenters have stressed.

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<sup>1</sup>See, *In the Matter of Structure and Practices of the Video Relay Service Program Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 13-82 (June 10, 2013) [2013 VRS Reform FNPRM].

**I. VRS TRAFFIC AUCTIONS LIMIT CONSUMER CHOICE, UNDERMINE COMPETITION, DISTORT SERVICE PRICING AND COSTS, PERPETUATE MARKET DOMINANCE, UNDERMINE SERVICE QUALITY, RAISE PRIVACY CONCERNS, AND SHOULD NOT BE ADOPTED.**

ASL/Global VRS has expressed its opposition to competitive auctions for high-volume called numbers and addressed its consequences.<sup>2</sup> Although consumer choice has been historically supported by the Commission, auctions preclude consumer choice demanded by the Deaf Community. Traffic auctions are diametrically opposed to fostering a competitive environment. Auctions will not result in an accurate benchmark of direct provider service costs and rates. Additionally the auction process would likely be expanded to ever larger amounts of traffic that would ultimately squeeze all but the largest providers out of the market. Auctions would clearly carry severe adverse consequences for the Program.

The Consumer Groups, representing Telecommunications for the Deaf and Hard of Hearing, National Association of the Deaf, Association of Late-Deafened Adults, Inc., Deaf and Hard of Hearing Consumer Advocacy Network, Cerebral Palsy and Deaf, Organization American Association of the Deaf-Blind, California Coalition of Agencies Serving Deaf and Hard of Hearing, Inc., Speech Communications Assistance By Telephone, Inc., Rehabilitation Engineering Research Center on Telecommunication Access (collectively “Consumer Groups”) stress that<sup>3</sup>

a single provider — or even two providers — that obtains the right to serve a group of telephone numbers via an auction will not face enough competitive pressure to maintain robust service and to provide customers with the level of service they need.<sup>4</sup>

The Consumer Groups reiterate their concern with “any VRS rate proposal that restricts users ‘to using only one VRS provider or platform,’” concluding “[i]f consumers have to use one provider with no dial-around option for certain calls and they are not happy with the provider, they are stuck with a service that does not

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<sup>2</sup> *Comments ASL Services Holdings, LLC*, CG Docket Nos. 10-51 and 03-123 (August 19, 2013) [“*ASL/Global VRS Comments*”] at 28 – 30.

<sup>3</sup> See e.g. *Comments (of Consumer Groups) to Further Notice of Proposed Rulemaking*, CG Docket Nos. 10-51 and 03-123, (August 19, 2013)[“*Consumer Groups*”] at 7.

<sup>4</sup> The Consumer Groups mirror ASL/Global VRS’ position that “... the dominant provider would retain its dominance and would lose any incentive to reduce costs and innovate facing no competitive pressure to improve service and lower rates in a market that the provider already dominates.” *ASL/Global VRS Comments* at 31.

meet their needs until the contract period expires.”<sup>5</sup> Another provider accurately states that a competitive bidding process will stifle competition and “decimate consumer choice.”<sup>6</sup>

Others parties raise additional concerns with the auction process. Interpreter groups stress the adverse impact of competitive bidding process on the already limited availability of qualified interpreters that militate against such an approach. Interpreter groups are *the* front line service providers and have the most direct and realistic appraisal of the day-to-day demand for service demand and qualified interpreters. The Registry of Interpreters for the Deaf, Inc. (“RID”) cites to a Final Report published by the National Consortium of Interpreter Education Centers, which concludes that “53% of interpreters who responded to the survey reported an increase in the demand for their services.”<sup>7</sup> This projected explosive growth in the demand for interpreters will place an upward pressure on compensation for an already limited universe of qualified interpreters. A low-cost bidding process will distort the true cost of providing quality service and will not serve as an accurate benchmark of actual per minute rates because the direct correlation between provider costs and compensation will no longer exist.<sup>8</sup> The Consumer Groups raise privacy and confidentiality concerns.<sup>9</sup>

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<sup>5</sup>*Id.* at 7, 8 citing to Ex Parte Letter of T. Finn, Counsel for TDI, to Marlene H. Dortch, FCC, CG Docket Nos. 03-123 and 10-51, at p. 1 (filed Feb. 27, 2013). This view is also consistent with ASL/Global VRS’ position that “To dictate that a VRS consumer use a specific provider simply because of the number called, when the consumer may be fundamentally opposed to utilizing a specific provider is to strip the VRS consumer of choice *and* functional equivalence.” *ASL/Global VRS Comments* at 29.

<sup>6</sup> See e.g., *Comments of CSDVRS, LLC*, CG Docket Nos. 03-123 and 10-51 (August 19, 2013) [“*CSDVRS Comments*”] at 11: “a bidding process would decimate consumer choice and undermine competition which currently works to drive costs down and alleviate fiscal strains to the Fund.” Citing to *Comments of CSDVRS LLC*, CG Docket 10-51 (August 18, 2010) at 48. The Company also notes that auctions undermine innovation and development of new technology, and concludes that “competitive bidding would drive other VRS providers out of business in favor of the dominant provider and cause much poorer service which would seriously undermine functional equivalency.” *Id.*

<sup>7</sup> See e.g., *The Registry of Interpreters for the Deaf, Inc. Comments to Further Notice of Proposed Rulemaking on Structure and Practices of the Video Relay Service (VRS) Program*, CG Docket No. 10-51 (August 19, 2013) at 17 citing to National Consortium of Interpreter Education Centers, *Interpreting Practitioner Needs Assessment 2012: Final Report*, on the Internet at [http://www.interpretereducation.org/wpcontent/uploads/2013/01/2012-Practitioner-FINAL-Report\\_Published\\_011713.pdf](http://www.interpretereducation.org/wpcontent/uploads/2013/01/2012-Practitioner-FINAL-Report_Published_011713.pdf) (visited August 19, 2013) RID also cites to a U. S. Department of Labor prediction that “employment of interpreters and translators is expected to grow 42 percent from 2010 to 2020, much faster than the average for all occupations.”

<sup>8</sup> See *ASL Comments* at 30. “Instead, auction pricing would simply reflect how low a winning bidder in this case, would be willing to go to win the bid. The winning bidder would have to project whether the revenue generated by a high volume of calls could cover the provider’s cost of service, even if the provider’s rate could potentially be below cost with the hope of making up for losses by volume.” The Communications Workers of America and National Interpreter Action Network stress that access to qualified, experienced interpreters will suffer to the detriment of service quality in a “race to the bottom in compensation.” *Comments of Communications Workers of America and National Interpreter Action Network*, Docket 10-51 (August 10, 2013) [“*CWA Comments*”] at 7.

While the entrenched, dominant providers certainly favor auctions, ASL/Global VRS, Consumer Groups, Interpreter groups and other commenters agree that high-volume called number auctions will not only fail to achieve their intended Program objectives but have a dire ripple effect on other aspects of the Program. If consumer choice, service cost reduction, innovation, adoption of new technology, and Program sustainability are tenants of additional reforms, adoption of an auction process has no place in the Program.

## **II. SKILLS-BASED ROUTING IS AN EQUALLY CRITICAL AND FUNDAMENTAL COMPONENT OF CONSUMER CHOICE, INTERPRETER EFFICIENCY, AND FUNCTIONAL EQUIVALENCY THAT SHOULD BE AUTHORIZED.**

The Commission has declined to allow skills-based routing due to implementation concerns.<sup>10</sup> ASL/Global VRS has stressed that skills-based routing is a “fundamental requirement”<sup>11</sup> Indeed technical skills-based routing capabilities generally are an essential element of consumer choice of the most qualified, best suited, and ultimately most cost effective, interpreter to serve the customer and should be authorized.

Consumer Groups,<sup>12</sup> other commenting parties,<sup>13</sup> and the Commission<sup>14</sup> have unanimously recognized the importance of consumer choice. The Communications Access Ability Group’s references to

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<sup>9</sup> “The use of calling data to determine which numbers or points of termination should be included in such an auction violates the spirit, if not the letter, of the newly adopted CPNI protections” *Consumer Groups* at 6.

<sup>10</sup> “We are concerned that allowing skill-based routing would increase the incentive of VRS users to substitute VRS for in-person sign language interpreting services, including video remote interpreting (VRI)—a practice that is not permitted. Even if that critical issue were resolvable, skill-based routing poses a number of implementation issues, including (a) how to reconcile a skill-based routing function with our requirement that VRS calls be answered in the order received,<sup>10</sup> (b) our availability and speed of answer requirements, (c) determining what types of skills are appropriate for specialized routing, and (d) whether skill-based routing should be a mandatory or a voluntary feature of VRS [footnotes omitted].” *2013 VRS Reform FNPRM* at 74.

<sup>11</sup> See, e.g. *ASL/Global VRS Comments* at 21. “Certainly, a Video Interpreter who does not speak Spanish or is barely proficient in Spanish cannot adequately translate a call in Spanish.”

<sup>12</sup> See, *Consumer Groups* at 6, 7 “Hearing Americans have a choice of communications providers that meet federal and/or state requirements (e.g., incumbent and competitive local exchange carriers, wireless providers, Voice over Internet Protocol (“VoIP”) providers, etc.) to place all of their calls. VRS consumers should have the same right to choose from a group of providers that meet minimum Commission standards for the provision of all VRS calls.”

<sup>13</sup> See *CSDVRS Comments* at 6 and 7 citing to the Title IV or the Americans with Disabilities Act (“ADA”), Pub. L. No. 101-336, § 401, 104 Stat. 327, 366-69 (adding Section 225 to the Communications Act of 1934, as amended, 47 U.S.C. § 225) “Choice and competition are bedrock principles of Title IV of the ADA,... The principles of choice and competition embody the ADA objectives of providing people with disabilities equal opportunity to access the range of services and activities available to the public rather than segregated or governmentally-operated support.”

<sup>14</sup> See e.g. *2013 VRS Reform FNPRM* at 26.” We conclude that the proposal in the *2011 VRS Reform FNPRM* should be adopted because the record demonstrates that the portability of such features is indeed critical to effective competition and the provision of consumer choice in VRS [footnote omitted].”

community interpreting contracts also speak to the desirability of consumer choice.<sup>15</sup> Ms. Fritz, an interpreter, states,

Video callers should have the option to save VRS interpreter numbers in their videophones, each creating a personal list of their preferred interpreters based on overall proficiency and knowledge of specific topics such as medical, business, etc. When placing a call, they could then choose (1) to accept the next available interpreter or (2) to wait longer for one of their preferred interpreters to become available.<sup>16</sup>

Not all interpreters as generalists can satisfy all needs of all Deaf individuals, regardless of interpreter certification level, and not all callers have the same needs. Ms. Fritz underscores the point, accurately stating,

VRS Interpreting has been characterized as the most difficult type of interpreting. There are myriad reasons for this. It has most of the challenges of on-site interpreting but also has other complexities related to technology, to parties of the call being geographically separated from one another, to the interpreter often not knowing what the topic of the call will be, and so on. Not all interpreters are suited for or capable of working well in such an arena.<sup>17</sup>

As noted, VRS Interpreters cannot be considered a homogeneous group whose interpretation is mechanical and entirely transparent to callers. Callers interact with, and relate to, interpreters as individuals. The interpreter's ability to translate concepts based on specialized knowledge and experience will lead to more efficient and effective interpretation, shorter calls, and lower call costs. And voluntary skills-based routing also creates another opportunity for providers to differentiate themselves from competitors.

ASL/Global VRS clearly recognizes the distinction between VRI and VRS, which is at the heart of the Commission's concerns that skill-based routing could precipitate VRS usage as an unlawful VRI substitute. Yet the underlying need for consumers to choose those interpreters who closest meet their ability to

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<sup>15</sup> See *Comments of Hancock, Jahn, Lee & Puckett, LLC d/b/a Communication Access Ability Group (CAAG)*, Docket No. 10-51 (August 19, 2013)[*CAAG Comments*] at 2 to 4. Though CAAG's community interpreting contract comparison to auctions is apt, the comparison is flawed. There are ample competitive choices for VRI that do not exist for VRS, provided by six Fund-eligible providers including an entrenched incumbent dominant provider.

<sup>16</sup> *Comments of Lisa Fritz, RIDCI/CT*, CG Docket No. 10-51 (August 19, 2013). Ms. Fritz proposes *allowing the caller* to determine whether to accept the next available interpreter or next preferred interpreter. This simple approach would address the Commission's call order requirements, speed of answer, skill set, and mandatory or voluntary skill-based routing concerns without a change in Commission rules. Under this approach, the caller would voluntarily choose the provider and accept a potential slower answer time in return for gaining access to an interpreter perceived by the caller to meet the caller's needs. Providers would otherwise continue to be bound by the existing mandatory minimum standards.

<sup>17</sup> *Id.*

communicate does not change when using VRS. The regulatory framework governing VRS providers already precludes any potential for VRS to become a VRI substitute.<sup>18</sup>

The Deaf Community has expressed its overwhelming desire for choice between providers and choice of interpreter. Consumer choice in either instance embodies the same underlying principle; selection of the provider and/or individual best qualified and/or suited to meet the consumer's needs. Consumer choice of interpreter is fundamental to meeting consumer needs, should be acknowledged by the Commission, and authorized.

Skill-based routing also carries significant cost savings and efficiencies that support Program sustainability and should not be summarily dismissed. It has been ASL/Global VRS' experience that when a call requiring medical, legal, or other form of technical interpretation is interpreted, a less technically-skilled interpreter will require more time to understand and translate technical concepts and terminology accurately. The likelihood for repetition and errors increases significantly. Preclusion of voluntary skill-based routing virtually ensures that available technically-skilled interpreters will not be able to assist those callers who need them. This further undermines the value of technically-skilled interpreters to the public and creates a disincentive for interpreters to pursue technical proficiency. Skills-based routing promotes interpreter call efficiency, which directly mitigates Program costs. Skills-based routing should be allowed on a voluntary basis.

The Commission has seemingly predicated many of its conclusions regarding skills-based routing on the theory that the Video Interpreter should be tantamount to dial tone for non-Deaf/Hard of Hearing callers. In reality, existing VRS equipment/applications already provide the equivalent "dial tone" for the Deaf caller to connect to an interpreter. That an interpreter appears in a monitor before the called party does not change the function or skills sets needed to make the "connection" *linguistically*. The called party has his or her "functional language" with its own protocol, terminology, norms, etc. One must know how to "speak" that "functional language" to communicate effectively. It can be legal; it can be medical; it can be mental health; or it can be as basic as understanding "Denver Pizza..." While all video interpreters must have

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<sup>18</sup> There is no known or stated record to support that skill-based routing or caller preference request capabilities have engendered the issues which underlie the Commission's concerns.

a minimum level of interpreting skill, at a given point certain types of calls will require the specific technical/linguistic nomenclature; there is no guarantee even with certification that an interpreter answering the call possesses - or does not possess - the functional linguistic skills necessary for specialized calls. This is the daily reality of interpreting VRS calls. Technical skills and linguistic-specific terminology for every type of life event cannot be learned, by virtue of being certified alone, just as being “certified” does not qualify an interpreter to speak Spanish. here is a level of professional “functional language” specific to each profession. The Commission can readily confirm – if it has not already - the necessity of relying on technical skills-based interpreters to effectively support the Commission’s operations. If the Commission engaged interpreters without specialized professional telecommunications terminology skills to attempt interpreting important, technically-oriented conversations, the Commission would likely experience the same challenges and inefficiencies that the Deaf community will now face making calls under the skills-based routing prohibition.

There may even be a pre-certified interpreter who has more background in an area than a certified interpreter. For example, ASL/Global VRS knows pre-certified interpreters who worked in the medical profession as paramedics, nurses, etc. before becoming interpreters, and therefore are better qualified to interpret medical calls than a certified individual with limited medical experience.

ASL/Global VRS believes the Commission’s propensity to envision skills-based routing as a potential substitute for VRI is misplaced. Skills-based routing has nothing in common with VRI. VRI is not a call; Unlike VRS, both parties are in the same room. The time of the virtual meeting is controlled by the client(s). The subject matter is available to be disclosed, discussed and researched in depth ahead of time and even during the virtual meeting. The set up can include partners working as a team, and charges will be negotiated and established ahead of time, with potentially varying rates based on the applicable contractual agreements. Skills-based routing *only* enables a caller to voluntarily select an interpreter best suited to the caller’s needs and preferences for a specific call, thereby promoting *functional linguistic* equivalency.

Deaf consumers will not experience functional equivalency until they have functional linguistic equivalency, which can only occur when they can elect the type of calls/and interpreter skills they need for certain calls, and providers can meet their needs.



### **III. A TEN SECOND SPEED OF ANSWER REQUIREMENT IS CURRENTLY IMPOSSIBLE TO MEET AS A STANDARD WITHOUT SIGNIFICANT INCREASES IN PROGRAM COSTS.**

ASL/Global VRS and all providers have readily acknowledged the need to further reduce answer times and have done so voluntarily.<sup>19</sup> Providers recognize that speed of answer (“SoA”) is key to providing exceptional service and differentiating themselves from other providers. Yet virtually all providers unanimously agree that setting a SoA of 85 percent of VRS calls within ten seconds to fully harmonize permissible wait time for VRS with other forms of TRS *as a standard* now will impose significant staffing burdens and costs on providers, and is unnecessary.

ASL/Global VRS has stressed that an SoA reduction cannot be done in a vacuum without impacting provider operations and increasing costs, particularly given the limited availability of qualified interpreters.<sup>20</sup> This view is widely shared: “Convo does not believe that it is economically feasible to reduce this answer time an additional 10%—to ten seconds—without significantly overstaffing its call centers;”<sup>21</sup> “if the Commission adopts a lower speed-of-answer minimum standard, it must maintain a compensation level that enables VRS providers to meet that requirement;”<sup>22</sup> “Whatever incremental improvement might be introduced by a reduction to a 10-second metric would not justify the added costs of hiring the additional CAs needed to meet this more stringent standard;”<sup>23</sup> “...if the Commission is unwilling to change the existing rate structure to offset providers’ additional costs of staffing to faster answer times, the Commission [should] defer implementation of such standards...”<sup>24</sup>

ASL/Global readily appreciates the Consumer Groups support of the standard to achieve functional equivalency and their desire for a 10 second response time.<sup>25</sup> But even the Consumer Groups concede that “a reduction in speed of answer requirements will lead to an increase in costs, even though the

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<sup>19</sup> “...the record shows that VRS providers already are largely achieving this standard [referring to a reduction in SoA to 30 seconds] at current CA staffing levels...” *2013 VRS Reform FNPRM* at para. 137.

<sup>20</sup> *ASL/Global VRS Comments* at 44 - 45. The Company has stressed that staffing costs associated with a reduction in SoA as a standard are particularly acute for providers that serve Spanish language callers, “and who rely on an exceptionally small universe of qualified tri-lingual Video Interpreters.”

<sup>21</sup> *See, Comments of Convo Communications LLC*, CG Docket No. 10-51 (August 19, 2013) at 2.

<sup>22</sup> *2013 VRS Reform FNPRM* at para. 137 citing to Sorenson FNPRM Reply Comments at 48-49.

<sup>23</sup> *CAAG Comments* at 7.

<sup>24</sup> *Purple Comments* at 21.

<sup>25</sup> “Consumer Groups support the proposal to decrease the permissible wait time to 10 seconds (from 120 seconds). Doing so would advance the goal of functional equivalency as expressed by Consumer Groups’ Policy Statement.” *Consumer Groups Comments* at 22; “Without prompt answer speed, there cannot be functional equivalence” *2013 VRS Reform FNPRM* at footnote 300 citing to Consumer Groups FNPRM Comments at 12.

Commission’s proposed rate does not factor in such an increased cost. Consumer Groups have concerns that, like the IP Relay services, consumers will see providers drop out of the market or the quality of services will deteriorate, regardless of the provider’s desire to provide quality service, to meet this demand without additional funds.”<sup>26</sup>

The Commission itself acknowledges that “Although the new 30 second requirement still deviates from the ten second speed of answer standard required for other forms of TRS, we also find that this new mandate is in keeping with the guiding principle of section 225 of the Act that TRS be made available “in the most efficient manner” because it takes into account the limitations and capabilities of VRS.”<sup>27</sup> The ten second SoA serves as a reasonable benchmark for providers to attain but should not – nor does it need to be – now established as a standard, particularly in light of the significant Program reforms that have been adopted and are being considered and their impact on providers.

#### **IV. PROVIDERS SHOULD BE REASONABLY COMPENSATED FOR THEIR COSTS OF PROVIDING SERVICE UNDER COMMISSION REFORMS.**

ASL/Global VRS has referred to the recovery regime established under Section 225 that compensates providers for their reasonable costs of providing service in compliance with the TRS regulations “in the most efficient manner” cited by the Commission.<sup>28</sup> Indeed, “efficiency” is a dynamic standard which does not equally apply to all providers at all times. Each of the Commission’s adopted and proposed standards carries a corresponding implementation cost. When implemented in a relatively compressed period of time, Commission reforms have a multiplier effect on provider costs. These costs cannot simply be assumed without impacting operations.<sup>29</sup>

In addition to the many reforms that have been implemented and are being considered, the Commission has also proposed additional administrative requirements such as increasing the frequency of

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<sup>26</sup> *Consumer Groups Comments* at 22

<sup>27</sup> *2013 VRS Reform FNPRM* at para. 135 [footnote in original omitted].

<sup>28</sup> *ASL/Global VRS Comments* at 34 citing to 47 U.S.C. 225(b)(1).

<sup>29</sup> *See, e.g. CWA Comments* at 2 “...our experience shows that providers respond to tighter benchmarks not by hiring more video interpreters, but instead by imposing unrealistic and harmful “work speed-up” that requires the existing pool of video interpreters to meet ever more demanding work schedules.” Not all providers, including ASL/Global VRS engage in the type of “work speed-up” approach CWA alleges. Nevertheless, faced with increasing staffing and compliance costs and decreasing compensation rates, it becomes challenging to maintain an ideal balance.

reporting requirements. Providers such as ASL/Global VRS and others,<sup>30</sup> who believe their operations to be efficient, now face growing administrative burdens and corresponding costs. ASL/Global VRS has also stressed that compliance costs for meeting certain standards are multiplied for those serving the Spanish language community. Additional costs to attract, train and retain qualified tri-lingual interpreters, among others, are significant.<sup>31</sup>

The Commission has proposed and adopted a number of reforms in a relatively short time. These reforms, coupled with pressure to reduce provider compensation, place significant constraints on providers to operate efficiently, strictly comply, differentiate themselves from other providers, support their staffs, and moreover meet the needs of their subscribers. The Commission's intent to eliminate waste, fraud, and abuse, achieve functional equivalency, and ensure that the public is served in the most efficient manner is readily understood and supported. Nevertheless, inflexible standards, relentless cost reductions, and a propensity to withhold compensation from providers ultimately fails these objectives. ASL/Global VRS again urges the Commission to consider the direct costs of providers by allowing providers to submit verifiable cost studies. Providers should be allowed to demonstrate the direct correlation between their direct costs and those not otherwise included in benchmarked compensation methodology consistent with the reasonable compensation tenant of Section 225.

Respectfully submitted this 18<sup>th</sup> day of September, 2013,

ASL Services Holdings, LLC

By:



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<sup>30</sup> See, e.g. *Comments of CSDVRS LLC* at 48.

<sup>31</sup> *ASL/Global VRS Comments* at 35.